



POLICY

23.06

Project Assessment Policy

1. Statement of Policy

The Government of the Northwest Territories will plan and undertake project assessments in a proactive, strategic, coordinated, timely, consistent, and effective manner.

2. Principles

The Government of the Northwest Territories shall adhere to the following principles when implementing this Policy:

- (1) Project assessment should support objective, timely, evidence-based environmental assessments.
- (2) The Government of the Northwest Territories should support resource management board processes and carry out project assessment in a manner that is transparent, accountable, collaborative, and reflects the interests of Northerners and builds confidence in the system.
- (3) Northwest Territories' residents should be informed of the potential benefits and risks associated with resource and infrastructure development projects.
- (4) Project assessment should consider ecological, social, cultural and economic values to ensure maximum benefits to current and future generations and should be made in the context of sound environmental stewardship.
- (5) Project assessment should be adaptable to new information, and changing environmental, economic and social conditions.
- (6) Project assessment processes should not prejudice any present or future land, resource and self-government agreements, or treaty land entitlement agreements.

3. Scope



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This Policy applies to all Government of the Northwest Territories' departments, boards, and agencies.

Exclusion

This Policy does not apply to the Regulator of Oil and Gas Operations, or delegates of the regulator under the *Oil and Gas Operations Act*.

4. Definitions

Deputy Head – Deputy Minister of a department or in relation to any other portion of the public service, the chief executive officer of that portion.

Environmental Assessment - A legislated, formal planning and evaluation process intended to ensure that the biophysical environment and the ecological, social, cultural, and economic well-being of residents and communities are protected from any significant adverse impacts that may be caused by a project. For the purposes of this Policy, “environmental assessment” includes environmental assessment and environmental impact review under legislation, settled land, resources and self-government agreements, or final self-government agreements.

Project – A proposal for seismic surveys, exploration, extraction and/or production of natural resources, development of infrastructure, or remediation of past resource or infrastructure activity that might have environmental impacts within the Northwest Territories.

Project Assessment - A Government of the Northwest Territories-wide procedural function focused on effectiveness and good governance in support of informed regulatory decisions.

5. Authority and Accountability

(1) General

This Policy is issued under the authority of the Executive Council. The authority to make exceptions and approve revisions to this Policy rests with the Executive Council. Authority and accountability is further defined as follows:



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(a) Minister

The Minister of Environment and Climate Change (the Minister) is accountable to the Executive Council for the implementation of this Policy.

(b) Deputy Minister

The Deputy Minister of Environment and Climate Change (the Deputy Minister) is accountable to the Minister and responsible to the Minister for the administration of this Policy.

(2) Specific

(a) Executive Council

The Executive Council:

- (i) may refer a project to environmental assessment under section 126 of the *Mackenzie Valley Resource Management Act*;
- (ii) may approve standards to be applied to project assessments; and
- (iii) may approve positions and strategies for project assessments.

(b) The Minister

The Minister:

- (i) will exercise any authority as delegated by the Commissioner in Executive Council;
- (ii) will exercise any authority as designated by the Commissioner in Executive Council and delegated by the Minister of Northern Affairs under the *Mackenzie Valley Resource Management Act*;
- (iii) may recommend standards to be applied to project assessments for Executive Council consideration;



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- (iv) may recommend positions and strategies for project assessments for Executive Council consideration;
- (v) may establish ministerial policies necessary to the implementation of this Policy;
- (vi) will coordinate tracking, evaluate and annually report to the Executive Council on the implementation of recommendations arising from environmental assessment decisions; and
- (vii) may identify project applications which, in the Minister's opinion, require a coordinated cross-departmental approach.

(c) Ministers

Ministers:

- (i) will exercise any authority as delegated by the Commissioner in Executive Council;
- (ii) will exercise any authority as designated by the Commissioner in Executive Council and delegated by the Minister of Northern Affairs under the *Mackenzie Valley Resource Management Act* as to their respective ministerial portfolios; and
- (iii) may recommend to the Executive Council that a project be referred to environmental assessment under section 126 of the *Mackenzie Valley Resource Management Act*.

(2) Deputy Minister

The Deputy Minister of Environment and Climate Change may recommend that the Minister identify a particular project application as requiring a coordinated, cross-departmental approach in accordance with provision 5 (2) (b) (vii) above.



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6. Provisions

(1) Environmental Assessments

The Government of the Northwest Territories' participation in environmental assessments should be coordinated through the project assessment function in order to provide resource management boards, regulators, proponents, other levels of government, and the public with a whole-of-government approach.

(2) Project Assessment Senior Management Coordinating Committee

A Project Assessment Senior Management Coordinating Committee, the Chair of which shall report to the Minister of Environment and Climate Change, is established.

(a) Composition

The Project Assessment Senior Management Coordinating Committee will include:

- (i) Deputy Minister of Environment and Climate Change, who serves as Chair;
- (ii) Deputy Minister of Industry, Tourism and Investment;
- (iii) Deputy Minister of Executive and Indigenous Affairs;
- (iv) Deputy Minister of Justice;
- (v) Deputy Minister of Education, Culture and Employment;
- (vi) Deputy Minister of Health and Social Services;
- (vii) Deputy Minister of Infrastructure; and
- (viii) Deputy Minister of Municipal and Community Affairs.



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(b) **Other Participants**

Other Deputy Ministers as required by specific issues and activities under the Committee's consideration.

(c) **Mandate**

The Project Assessment Senior Management Coordinating Committee:

- (i) may recommend ministerial policies to be established in accordance with this Policy;
- (ii) will adhere to ministerial policies established in accordance with this Policy;
- (iii) will evaluate and report on project assessments to all departments;
- (iv) will recommend, through the Chair, priorities, positions, strategies, and standards for project assessments to the Minister;
- (v) will make decisions regarding project assessment activities and responses in line with any approved ministerial policy, priorities, positions, strategies, and standards;
- (vi) will ensure any technical advice and evidence provided to boards by their respective staff is in line with legislation, Cabinet direction and ministerial policies established under this Policy;
- (vii) will ensure respectful interdepartmental discussion and cooperation throughout the Government of the Northwest Territories participation in environmental assessment processes; and
- (viii) may advise deputy heads about project assessment policies, initiatives, and activities.



POLICY

23.01 Sustainable Development

7. Prerogative of the Executive Council

Nothing in this Policy shall in any way be construed to limit the prerogative of the Executive Council to make decisions or take action respecting sustainable development outside the provisions of this Policy.

Janet E. Eaton
Premier and Chair of the
Executive Council